

Appl. No. 09/506,342  
In re HEINEY  
Reply to Final Action of March 24, 2004

**REMARKS/ARGUMENTS**

This request for reconsideration is intended to be fully responsive to the Final Action mailed March 24, 2004.

In the Official Action, claims 1-6 were rejected under 35 U.S.C. 112, 6<sup>th</sup> paragraph as being single means claims having undue breadth. Applicant respectfully submits that pending claim 1 lacks any type of "means-plus-function" language as set forth in 35 U.S.C. 112, ¶ 6<sup>th</sup>. Indeed, claim 1 recites, among other things, "a photodetector having an active region and at least one interference coating" and this structural recitation removes claim 1 from the guidelines for §112, 6<sup>th</sup> paragraph treatment.

In an effort to expedite prosecution, application has cancelled claims 1-6.

For the foregoing reasons, it is respectfully submitted that claims 7-16 are in condition for allowance. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution he is invited to contact the undersigned at the number listed below.

Respectfully submitted:  
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